

Ramjanam S/o.Banwari ..Applicant
Versus
State of Maharashtra .. Respondent

Mr.Nitin Pradhan with Ms.Shubhada Khot for
applicant
Mr.S.S.Tatkare, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 29th November 2005.

Heard Mr.Pradhan for applicant and
Mr.Tatkare, A.P.P. for respondent State.

2. This matter was adjourned on two occasions to enable learned A.P.P. to take instructions.

3. Applicant has been arrested on 10th

September 2005 in connection with C.R.No.144 of 2005 at Yervada Police station, Pune for offences punishable under sections 465, 467, 468, 406 of I.P.C. From perusal of the application and the annexures thereto, it is clear that the dispute involved is purely civil in nature where suits and cross suits are pending. Similarly applicant has specifically alleged that the F.I.R. was registered at the instance of complainant as counter blast to the proceedings instituted by the applicant against him under section 138 of Negotiable Instruments Act and presently pending in competent court in U.P. Documents concerned are produced on record of that Court. Said document could have been easily procured and after appropriate procedure complied with led in evidence in the present case as well. On that ground alone the application could not have been rejected, more so, when the entire case is based on documents and it has not been pointed out as to how the same cannot be seized or the applicant

could not be interrogated for all this while on the contents of the same.

4. In these circumstances, application is allowed with following order:-

i) Applicant shall be enlarged on bail in connection with C.R.No.144 of 2005 registered with Yervada police station, Pune in the sum of Rs.25,000/- with one or two local sureties in the like amount.

ii) Applicant shall report to Yervada police station twice a week on every Monday and Thursday between 4.00 p.m. and 6.00 p.m. till filing of charge sheet.

iii) Applicant shall not directly or indirectly make any inducement or threat

to any prosecution witnesses and shall not in any manner tamper with prosecution evidence.

iv) Applicant shall cooperate with the Trial Judge for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

v) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vi) Application disposed of.

vii) Parties to act on an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)